

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

JASON McGEHEE, et al.,

Plaintiffs,

v.

**NEBRASKA DEPARTMENT OF
CORRECTIONAL SERVICES,**

Defendant.

Case No. 4:18-CV-03092

**MOTION TO STAY
PENDING APPEAL**

**EXPEDITED TREATMENT
REQUESTED**

Defendant Nebraska Department of Correctional Services (“NDCS”) moves under Fed. R. Civ. P. 62 and Fed. R. App. P. 8(a)(1)(A) for a stay of the Court’s Memorandum and Order of March 15, 2019, (Filing 36), and of further proceedings in this Court, pending appeal to the U.S. Court of Appeals to the Eighth Circuit.

REQUEST FOR EXPEDITED TREATMENT

In light of the impending deadlines set forth in the March 15th order, and NDCS’ appeal deadline of April 15, 2019, the regular briefing time under NECivR 7.1 should be shortened. NDCS respectfully requests that the Court enter an order expediting the Plaintiffs’ time for an opposition brief and NDCS’ time for a reply on a schedule the Court deems appropriate.

Dated March 25, 2019.

Respectfully submitted,

**NEBRASKA DEPARTMENT OF
CORRECTIONAL SERVICES,
Defendant.**

DOUGLAS J. PETERSON, NE #18146

Attorney General of Nebraska

s/David A. Lopez

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MENT OF CORRECTIONAL SERVICES

CERTIFICATE OF SERVICE

I hereby certify that on March 25, 2019, I electronically filed the foregoing document with the Clerk of the United States District Court for the District of Nebraska, using the CM/ECF system, causing notice of such filing to be served upon all parties' counsel of record.

s/David A. Lopez